

Plaintiff, James Hayden, moves under Federal Rule of Civil Procedure 16 for an order amending trial and pre-trial deadlines (April 27 Order). Mr. Hayden has conferred with Defendants and Defendants do not oppose this Motion. Shortly after the Parties submitted their Joint Proposed Schedule on April 21, 2022, Mr. Hayden learned that two experts he plans to call at trial (Dr. H. Tolga Bilgicer and Mr. Michal Malkiewicz) had an unexpected conflict arise in another case the week of October 17, 2022. Mr. Hayden promptly notified Defendants' counsel and asked whether another date before November would work for Defendants. Counsel for Defendants informed Mr. Hayden that no other date before November would work and proposed the week of November 14, 2022. Accordingly, Mr. Hayden submits this unopposed motion to modify the schedule as follows:

Event	Current Date	New Proposed Date
Motions in limine, trial briefs, and deposition designations	August 1, 2022	August 1, 2022 (no change)
Oppositions to motions in limine and counter designations	August 29, 2022	August 29, 2022 (no change)

Final Pretrial Conference	September 9, 2022	October 14, 2022
Jury Trial	October 17, 2022	November 14, 2022

Good cause exists for this schedule modification, as Mr. Hayden was diligent in seeking the proposed schedule change, Defendants will not be prejudiced by a one-month delay in trial, and Mr. Hayden would be greatly prejudiced if he could not call Mr. Malkiewicz and Dr. Bilgicer to testify at trial. Accordingly, Mr. Hayden respectfully requests that his Motion be granted.

Respectfully submitted,

Dated: May 5, 2022

By: /s/ Andrew Alexander
John Cipolla (Ohio Bar No. 0043614)
Daniel McMullen (Ohio Bar No. 0034380)
Andrew Alexander (Ohio Bar No. 0091167)
Dustin Likens (Ohio Bar No. 0097891)
CALFEE, HALTER & GRISWOLD LLP
The Calfee Building
1405 East Sixth Street
Cleveland, Ohio 44114-1607
Telephone: (216) 622-8200
Facsimile: (216) 241-0816
[jcupolla@calfee.com](mailto:jcipolla@calfee.com)
dmcullen@calfee.com
aalexander@calfee.com
dlikens@calfee.com

Of Counsel

Kimberly A. Pinter (Ohio Bar No. 0084277)
CALFEE, HALTER & GRISWOLD LLP
The Calfee Building
1405 East Sixth Street
Cleveland, Ohio 44114-1607
Telephone: (216) 622-8200
Facsimile: (216) 241-0816
kpinter@calfee.com

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2022, a copy of the foregoing was filed electronically. Notice of this filing was sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, and parties may access this filing through the Court's system.

/s/ Andrew Alexander

One of the attorneys for Plaintiff